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**NAACP LEGAL DEFENSE &
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

GEORGE MANDALA and CHARLES
BARNETT, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

NTT DATA, INC.,

Defendant.

Case No. 18 Civ. 6591 (CJS)

**DECLARATION OF CHRISTOPHER M. MCNERNEY IN SUPPORT OF
PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION TO
VACATE JUDGMENT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60**

I, Christopher M. McNerney, declare as follows:

1. I am a partner at the firm of Outten & Golden LLP ("O&G") in New York, NY, am admitted to practice before this Court, and am one of the lawyers primarily responsible for prosecuting Plaintiffs' claims on behalf of themselves and the putative classes.

2. I make these statements based on personal knowledge and would so testify if called as a witness at trial.

Exhibits

3. Attached as **Exhibit A** is a true and correct copy of the docket in *Mandala v. NTT Data, Inc.*, No. 654705/2019 (New York County Supreme Court), last accessed May 17, 2021.

4. Attached as **Exhibit B** is a true and correct copy of a redline comparison of Plaintiffs' Complaint, filed August 15, 2018, and the First Amended Complaint that Plaintiffs seek leave to file.

5. Attached as **Exhibit C** is a true and correct copy of Plaintiffs' proposed First Amended Complaint [Edited].

6. Attached as **Exhibit D** is a true and correct copy of a redline comparison of Plaintiffs' proposed First Amended Complaint and First Amended Complaint [Edited].

* * *

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: May 17, 2021
New York, New York.

By: /s/ Christopher M. McNerney
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